

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BRG HARRISON LOFTS URBAN
RENEWAL LLC,

Plaintiff,

v.

GENERAL ELECTRIC COMPANY,
ENVIRONMENTAL WASTE
MANAGEMENT ASSOCIATES, LLC and
ACCREDITED ENVIRONMENTAL
TECHNOLOGIES, INC.,

Defendants.

Civil Action No: 2:16-06577

**DEFENDANT GENERAL
ELECTRIC COMPANY'S NOTICE
OF MOTION TO DISMISS
COUNTS ONE, FOUR, FIVE, SIX,
SEVEN, EIGHT, ELEVEN AND
TWELVE OF THE FIRST
AMENDED COMPLAINT
AGAINST IT PURSUANT TO
F.R.C.P. 12(b)(6)**

Return Date: January 17, 2016

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that Defendant General Electric Company ("GE") will move before the Honorable Stanley R. Chesler, U.S.D.J., at the U.S. Courthouse, 2 Federal Square, Newark, NJ 07101, on January 17, 2017, at 10:00 AM, or as soon thereafter as counsel may be heard, for entry of an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing Counts One, Four, Five, Six, Seven, Eight, Eleven and Twelve of the First Amended Complaint against GE with prejudice.

PLEASE TAKE FURTHER NOTICE that GE will rely upon the accompanying memorandum of law, the Declaration of Cynthia S. Betz, Esq., with exhibits, and upon all pleadings and proceedings on file herein.

PLEASE TAKE FURTHER NOTICE that a Proposed Order granting the motion is attached.

Respectfully submitted,

Dated: December 16, 2016

By: *s/ Ira Gottlieb*

Ira Gottlieb

Forrest Jones

Natalie S. Watson

Cynthia S. Betz

McCARTER & ENGLISH LLP

Four Gateway Center

100 Mulberry Street

Newark, New Jersey 07102

973-622-4444

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of the foregoing Notice of Motion and supporting documents were filed on the Court's ECF system, on December 16, 2016. The Court's ECF System will automatically generate and send a NEF to all counsel who have appeared in this case, which constitutes service of the filed documents.

By: s/Ira Gottlieb
Ira Gottlieb